

## Community resources

[Follow us on Twitter](#) [Check our Reddit](#) [Twitter this](#) [Digg this page](#) [Contact us on IRC](#)

*courage is contagious*

## Viewing cable 09BOGOTA3393, MOD OVERULES ARMY COMMANDER'S TRANSFER OF KEY HUMAN RIGHTS

If you are new to these pages, please read an introduction on the [structure of a cable](#) as well as how to [discuss them](#) with others. See also the [FAQs](#)

### Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

### Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#09BOGOTA3393**.

Reference ID	Created	Released	Classification	Origin
<a href="#">09BOGOTA3393</a>	<a href="#">2009-11-17 16:11</a>	<a href="#">2011-08-30 01:44</a>	<a href="#">CONFIDENTIAL</a>	<a href="#">Embassy Bogota</a>

Appears in these articles:

<http://www.elespectador.com/wikileaks>

VZCZCXYZ0038  
RR RUEHWEB

DE RUEHBO #3393/01 3211611  
ZNY CCCCC ZZH  
R 171611Z NOV 09  
FM AMEMBASSY BOGOTA  
TO RUEHC/SECSTATE WASHDC 0935  
INFO RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC  
RHMFISS/DEPT OF JUSTICE WASHINGTON DC  
RHMFISS/HQ USSOUTHCOM MIAMI FL  
RUCNFB/FBI WASHINGTON DC  
RUEAIIA/CIA WASHINGTON DC  
RUEHBO/AMEMBASSY BOGOTA  
RUEHCV/AMEMBASSY CARACAS  
RUEHGL/AMCONSUL GUAYAQUIL  
RUEHLP/AMEMBASSY LA PAZ  
RUEHPE/AMEMBASSY LIMA  
RUEHQT/AMEMBASSY QUITO  
RUEHZP/AMEMBASSY PANAMA  
RUEKJCS/SECDEF WASHINGTON DC

C O N F I D E N T I A L BOGOTA 003393

SIPDIS

E.O. 12958: DECL: 2019/11/17

TAGS: PHUM PGOV PTER KJUS MCAP CO

SUBJECT: MOD OVERULES ARMY COMMANDER'S TRANSFER OF KEY HUMAN RIGHTS OFFICIAL

REF: REF A: BOGOTA2629; REF B: BOGOTA2050

CLASSIFIED BY: William R. Brownfield, Ambassador; REASON: 1.4(B), (D)

SUMMARY

-----

11. (C) Minister of Defense (MOD) Gabriel Silva Lujan countermanded a transfer order from the army commander that would have sent the reform-minded army inspector general to the defense attache post in Chile -- and to an early retirement. Instead, Army Inspector General (IG) Major General Carlos Suarez, will be promoted to IG over all of Colombia's armed forces. Silva's move countered Army Commander Oscar Gonzalez Pena's obvious effort to frustrate the IG's investigations into "false positives" -- military murders presented as combat kills -- and is a positive indication that the new MOD is willing to continue human rights reform. Despite a significant drop in "false positive" murders, Suarez expressed concern that the practice could once again become common, as many high-level commanders who had directly or tacitly supported it remained in high-level command positions in the military. End Summary.

MOD OVERRULES ARMY COMMANDER, PROMOTES IG

-----

12. (C) Following a conversation on November 6 in which the Ambassador expressed the USG's strong reservations over the transfer of IG Suarez, MOD Silva told the Ambassador on November 12 that he had countermanded Army Commander Oscar Gonzalez Pena's order to transfer to Chile Army Inspector General Carlos Suarez, the official who investigated the Soacha extrajudicial executions (EJEs) that led to the dismissal of 51 members of the Colombian Army. Instead, Silva promoted Suarez to serve as IG of the Armed Forces, reporting directly to him. (Note: The position normally reports to Chief of Defense Freddy Padilla. It was unclear whether the MOD intended to change the line of command, though as IG of the Armed Forces Suarez would have more regular access to Silva. End note.) Gonzalez Pena had ordered the IG to transfer effective November 9 to a four-month special project prior to becoming militaryattache to Chile in March 2010. Silva said he was pleased with Suarez' work as IG, and that he intended to give him carte blanche to be aggressive with the Armed Forces on human rights issues. Suarez expressed satisfaction over his promotion and his ability to continue to address military crimes.

ARMY COMMANDER LIMITS DISMISSALS,

MILITARY JUSTICE "FROZEN"

-----

13. (C) In a meeting with Polcouns on November 6, Suarez attributed the surprise transfer to Gonzalez Pena's ongoing efforts to "paralyze" the IG's approximately 150 investigations into EJEs (REF A). Suarez said Gonzalez Pena had blocked approximately 30 administrative dismissals through his influence on the two other officers who vote on Suarez' recommendations, Deputy Army Commander General Jorge Octavio Ardila and Army Human Resources Head General Javier Fernandez Leal. Suarez voiced doubts that Gonzalez Pena's pick to replace him as Army IG, General Luis Felipe ParedesCadena, would demonstrate independence to promote "false positive"

investigations. Suarez also questioned the military justice system's ability to act autonomously in the current environment. Even though the military judges are ostensibly independent, Suarez

said, the system is currently "frozen" and human rights cases are not being transferred to the ordinary justice system.

FALSE POSITIVES DOWN,

BUT COULD RECUR

-----

14. (C) Suarez confirmed a major drop in "false positive" crimes, noting his office had only received nine such allegations -- all but two deemed credible -- in 2009. Still, Suarez underscored the risk of backsliding, given the fact that a number of commanders who had allowed the practice to go on remain in place. In this group he included Gonzalez Pena, Ardila, Fernandez, and Army Human Rights Directorate Head General Jorge Rodriguez, who Suarez labeled as "counter-reform" (REF B). Without significant personnel changes, warned Suarez, there could be no institutional change.

COMMENT

-----

15. (C) While technically General Gonzalez Pena has gotten away with transferring an aggressive pro-reform officer out of the number three slot in the Army, we believe Suarez will successfully carry on his work at a higher level. We doubt that Gonzalez Pena will advance on human rights reform in the Army without consistent pressure from MOD Silva and President Uribe.  
BROWNFIELD

=====CABLE ENDS=====